

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:16-cv-00475-TNM**

JUDICIAL WATCH, INC. v. U.S. DEPARTMENT OF JUSTICE

Assigned to: Judge Trevor N. McFadden
Cause: 05:552 Freedom of Information Act

Date Filed: 03/10/2016

Jury Demand: None

Nature of Suit: 895 Freedom of Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

JUDICIAL WATCH, INC.

represented by **David Francis Rothstein**
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5184
Fax: (202) 646-5199
Email: drothstein@judicialwatch.org
ATTORNEY TO BE NOTICED

Jason Blaine Aldrich
JUDICIAL WATCH, INC.
425 Third Street, SW
Suite 800
Washington, DC 20024
(202) 646-5172
Fax: (202) 646-5199
Email: jaldrich@judicialwatch.org
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Derek S. Hammond**
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2511
Fax: (202) 252-2599
Email: derek.hammond@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Benton Gregory Peterson
U.S. ATTORNEY'S OFFICE FOR THE DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2534
Fax: (202) 252-2599
Email: benton.peterson@usdoj.gov
TERMINATED: 03/05/2019

Date Filed	#	Docket Text
03/10/2016	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF JUSTICE (Filing fee \$ 400 receipt number 0090-4442443) filed by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons U.S. Attorney, # <u>3</u> Summons U.S. Attorney General, # <u>4</u>

		Summons U.S. DOJ)(Aldrich, Jason) (Entered: 03/10/2016)
03/10/2016	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by JUDICIAL WATCH, INC. (Aldrich, Jason) (Entered: 03/10/2016)
03/10/2016		Case Assigned to Judge Tanya S. Chutkan. (jd) (Entered: 03/11/2016)
03/11/2016	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Consent Forms)(jd) (Entered: 03/11/2016)
03/22/2016	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 3/16/2016. (Answer due for ALL FEDERAL DEFENDANTS by 4/15/2016.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 03/16/2016., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF JUSTICE served on 3/16/2016 (Attachments: # <u>1</u> Declaration of Cristina Rotaru)(Aldrich, Jason) (Entered: 03/22/2016)
04/14/2016	<u>5</u>	ANSWER to Complaint by U.S. DEPARTMENT OF JUSTICE.(Peterson, Benton) (Entered: 04/14/2016)
04/15/2016		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and order not later than 5/6/16. Signed by Judge Tanya S. Chutkan on 4/15/16. (DJS) (Entered: 04/15/2016)
04/15/2016		Set/Reset Deadlines: Status Report due by 5/6/2016 (zsm) (Entered: 04/15/2016)
05/06/2016	<u>6</u>	STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Aldrich, Jason) (Entered: 05/06/2016)
05/10/2016		MINUTE ORDER: Having considered the Joint Status Report <u>6</u> filed by the parties, it is hereby ordered that the parties shall file a Joint Status Report and proposed order not later than July 15, 2016. In that status report, the parties shall either propose a briefing schedule or provide the Court with more complete information concerning efforts at narrowing issues and determining the amount of documents at issue in this matter. It is further ORDERED that Defendant shall provide a further production prior to July 15, 2016. Signed by Judge Tanya S. Chutkan on 5/10/16. (DJS) (Entered: 05/10/2016)
05/11/2016		Set/Reset Deadlines: Status Report due by 7/15/2016 (zsm) (Entered: 05/11/2016)
07/15/2016	<u>7</u>	Joint STATUS REPORT by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 07/15/2016)
07/18/2016		MINUTE ORDER: Having considered the Joint Status Report <u>7</u> filed by the parties, it is hereby ordered that the parties shall file a Joint Status Report and PROPOSED ORDER not later than August 22, 2016. In that status report, the parties shall either propose a briefing schedule or provide the Court with additional information concerning efforts at narrowing issues and determining the amount of documents at issue in this matter. Signed by Judge Tanya S. Chutkan on 7/18/16. (DJS) (Entered: 07/18/2016)
07/18/2016		Set/Reset Deadlines: Joint Status Report and Proposed Order due no later than 8/22/2016 (tth) (Entered: 07/18/2016)
08/22/2016	<u>8</u>	Third STATUS REPORT <i>Third Joint Status Report</i> by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Aldrich, Jason) (Entered: 08/22/2016)

08/23/2016		MINUTE ORDER: Having considered the Status Report filed by the parties <u>8</u> , it is hereby ordered that the parties shall have until September 30, 2016, to file a further Joint Status Report, along with a proposed order, that includes a proposed briefing schedule or that provides the Court with more complete information concerning efforts at narrowing issues and determining the amount of documents at issue in this matter. Signed by Judge Tanya S. Chutkan on 8/23/16. (DJS) (Entered: 08/23/2016)
08/24/2016		Set/Reset Deadlines: Status Report due by 9/30/2016 (zsm) (Entered: 08/24/2016)
09/30/2016	<u>9</u>	Joint STATUS REPORT <i>Fourth Joint Status Report</i> by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Aldrich, Jason) (Entered: 09/30/2016)
10/03/2016		MINUTE ORDER: Having considered the Joint Status Report filed by the parties <u>9</u> it is hereby ordered that the parties shall have until November 3, 2016, to file a further Joint Status Report to either propose a briefing schedule or provide the Court with more complete information concerning efforts at narrowing issues and determining the amount of documents at issue in this matter. The Status Report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 10/3/16. (DJS) (Entered: 10/03/2016)
10/03/2016		Set/Reset Deadlines: Status Report due by 11/3/2016 (zsm) (Entered: 10/03/2016)
11/03/2016	<u>10</u>	Joint MOTION to Bifurcate by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Peterson, Benton) (Entered: 11/03/2016)
11/03/2016	<u>11</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Peterson, Benton) (Entered: 11/03/2016)
11/04/2016		MINUTE ORDER: Granting <u>10</u> Consent Motion to Bifurcate. The Parties shall have to, and including, March 6, 2017, to file a further Joint Status Report, along with a proposed order. Defendant FBI may file a Vaughn Index or declaration based on the applicability of 5 U.S.C. § 552(b)(7)(A) to certain records without waiving any allegation that those records are exempt from release for other reasons. Signed by Judge Tanya S. Chutkan on 11/4/16. (DJS) (Entered: 11/04/2016)
11/07/2016		Set/Reset Deadlines: Joint status report due by 3/6/2017. (gdf) (Entered: 11/07/2016)
03/01/2017	<u>12</u>	Unopposed MOTION for Extension of Time to File <i>Joint Status Report</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Peterson, Benton) (Entered: 03/01/2017)
03/04/2017		MINUTE ORDER: Granting <u>12</u> Motion for Extension of Time to File Joint Status. Joint Status and proposed order due March 23, 2017. Signed by Judge Tanya S. Chutkan on 3/4/17. (DJS) (Entered: 03/04/2017)
03/06/2017		Set/Reset Deadlines: Joint Status Report and proposed order due by 3/23/2017. (tb) (Entered: 03/06/2017)
03/23/2017	<u>13</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Peterson, Benton) (Entered: 03/23/2017)
04/03/2017		MINUTE ORDER: Having considered the Joint Status Report <u>13</u> filed by the parties, it is hereby ordered that the parties shall file another Joint Status Report by April 13, 2017, along with a proposed order. Signed by Judge Tanya S. Chutkan on 4/3/17. (DJS) (Entered: 04/03/2017)
04/03/2017		Set/Reset Deadlines: Joint Status Report due by 4/13/2017. (tb) (Entered: 04/03/2017)
04/13/2017	<u>14</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Aldrich, Jason) (Entered: 04/13/2017)
04/17/2017		MINUTE ORDER: Having considered the parties' Joint Status Report <u>14</u> , it is hereby ordered that the parties have until May 17, 2017, to file a further Joint Status Report to either propose a briefing schedule or provide the Court with more complete information concerning efforts at narrowing issues and determining the amount of documents at issue in this matter. A proposed order shall accompany the status report. Signed by Judge Tanya S. Chutkan on 4/17/17. (DJS) (Entered: 04/17/2017)

04/20/2017		Set/Reset Deadlines: Joint Status Report due by 5/17/2017. (tb) (Entered: 04/20/2017)
05/17/2017	<u>15</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Attachments: # <u>1</u> Text of Proposed Order)(Aldrich, Jason) (Entered: 05/17/2017)
05/18/2017		MINUTE ORDER: Having considered the parties' Joint Status report <u>15</u> , it is hereby ordered that the parties shall file another Joint Status Report by June 13, 2017 and every 45 days thereafter until such time as they jointly propose a briefing schedule. Any proposed briefing schedule shall include a proposed order. Signed by Judge Tanya S. Chutkan on 5/18/17. (DJS) (Entered: 05/18/2017)
05/22/2017		Set/Reset Deadlines: Joint Status Report due by 6/13/2017. (tb) (Entered: 05/22/2017)
06/13/2017	<u>16</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 06/13/2017)
07/31/2017	<u>17</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 07/31/2017)
09/11/2017	<u>18</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 09/11/2017)
11/01/2017		Case directly reassigned to Judge Trevor N. McFadden. Judge Tanya S. Chutkan is no longer assigned to the case. (ztnr) (Entered: 11/01/2017)
11/03/2017	<u>19</u>	STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 11/03/2017)
11/15/2017		MINUTE ORDER: In light of the recent assignment of this case to Judge McFadden, the parties are advised that the pre-existing schedule for this case remains in effect. The parties shall comply with all deadlines as previously ordered. SO ORDERED. Signed by Judge Trevor N. McFadden on November 15, 2017. (lctnm2) (Entered: 11/15/2017)
12/11/2017	<u>20</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 12/11/2017)
01/23/2018	<u>21</u>	NOTICE of Appearance by David Francis Rothstein on behalf of JUDICIAL WATCH, INC. (Rothstein, David) (Entered: 01/23/2018)
01/25/2018	<u>22</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Peterson, Benton) (Entered: 01/25/2018)
03/12/2018	<u>23</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 03/12/2018)
03/13/2018		MINUTE ORDER. Upon consideration of the parties' <u>23</u> Joint Status Report, the parties are hereby ORDERED to file Joint Status reports every 60 days hereafter, rather than every 45 days. Accordingly, the parties shall file their next Joint Status Report on or before May 11, 2018, and every 60 days thereafter. SO ORDERED. Signed by Judge Trevor N. McFadden on 3/13/2018. (lctnm2) (Entered: 03/13/2018)
03/13/2018		Set/Reset Deadlines: Next Joint Status Report due by 5/11/2018, and every 60 days thereafter. (hmc) (Entered: 03/13/2018)
04/25/2018	<u>24</u>	STANDING ORDER Establishing Procedures for Cases Before Judge Trevor N. McFadden. The parties are hereby ORDERED to read and comply with the directives in the attached standing order. Courtesy copies are excused for all filings predating the entry of this Standing Order. Signed by Judge Trevor N. McFadden on 4/25/2018. (lctnm2) (Entered: 04/25/2018)
05/11/2018	<u>25</u>	STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 05/11/2018)
06/13/2018		Upon consideration of the <u>25</u> Joint Status Report, and the record in this case, the parties are hereby ORDERED to appear for a Status Conference on July 12, 2018 at 10:00 a.m. in Courtroom 2, before Judge Trevor N. McFadden. Signed by Judge Trevor N. McFadden on 6/13/2018. (lctnm2) (Entered: 06/13/2018)

06/13/2018		Set/Reset Hearings: Status Conference scheduled for 7/12/2018, at 10:00 AM in Courtroom 2, before Judge Trevor N. McFadden. (hmc) (Entered: 06/13/2018)
07/12/2018		Minute Entry for proceedings held before Judge Trevor N. McFadden: Status Conference held on 7/12/2018. A Joint Status Report is due by 9/12/2018, and every 60 days thereafter. (Court Reporter: Sara Wick.) (hmc) (Entered: 07/12/2018)
09/12/2018	<u>26</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Peterson, Benton) (Entered: 09/12/2018)
11/13/2018	<u>27</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 11/13/2018)
01/09/2019	<u>28</u>	MOTION to Stay , MOTION for Extension of Time to <i>in Light of Lapse of Appropriations</i> by U.S. DEPARTMENT OF JUSTICE (Attachments: # <u>1</u> Text of Proposed Order)(Hudak, Brian) (Entered: 01/09/2019)
01/10/2019		MINUTE ORDER granting <u>28</u> Motion to Stay. Upon considering the Defendants <u>28</u> Motion to Stay, it is hereby ORDERED that this matter shall be stayed until Congress has restored appropriations to the Department of Justice. It is further ordered that the Defendant will notify the Court immediately upon resumption of appropriations. Signed by Judge Trevor N. McFadden on 1/10/2019. (lctnm2) (Entered: 01/10/2019)
01/28/2019	<u>29</u>	NOTICE by U.S. DEPARTMENT OF JUSTICE re Order on Motion to Stay,, Order on Motion for Extension of Time to, (Peterson, Benton) (Entered: 01/28/2019)
01/29/2019		MINUTE ORDER. Upon considering the Defendant's <u>29</u> Notice of Restored Government Funding, it is hereby ordered that the stay in this case is lifted. It is further ordered that the parties shall meet and confer, and submit a Joint Status Report informing the Court how the parties wish to proceed on or before February 6, 2019. Signed by Judge Trevor N. McFadden on 1/29/2018. (lctnm2) (Entered: 01/29/2019)
01/29/2019		Set/Reset Deadlines: Joint Status Report due by 2/6/2019. (hmc) (Entered: 01/29/2019)
02/06/2019	<u>30</u>	Joint STATUS REPORT <i>Joint Status Report</i> by JUDICIAL WATCH, INC.. (Aldrich, Jason) (Entered: 02/06/2019)
02/06/2019		MINUTE ORDER. Upon considering the parties' <u>30</u> Joint Status Report, it is hereby ordered that the parties shall file further Joint Status Reports on April 8, 2019, and every 60 days thereafter. Signed by Judge Trevor N. McFadden on 02/06/2019. (lctnm2) (Entered: 02/06/2019)
02/07/2019		Set/Reset Deadlines: Joint Status Report due by 4/8/2019, and every 60 days thereafter. (tg) (Entered: 02/07/2019)
03/05/2019	<u>31</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Derek S. Hammond on behalf of U.S. DEPARTMENT OF JUSTICE Substituting for attorney Benton G. Peterson (Hammond, Derek) (Entered: 03/05/2019)
04/08/2019	<u>32</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF JUSTICE. (Hammond, Derek) (Entered: 04/08/2019)